

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

No. 05-4437

**FILED**

OCT 18 2007

LEONARD GREEN, Clerk

THE SIERRA CLUB and MARILYN WALL,  
Plaintiffs - Appellees,

v.

HAMILTON COUNTY BOARD OF COUNTY COMMISSIONERS  
and CITY OF CINCINNATI,  
Defendants - Appellants.

**FILED**

OCT 18 2007

MARTIN BONINI, Clerk  
CINCINNATI, OHIO

Before: MARTIN and DAUGHTREY, Circuit Judges; REEVES, District Judge.

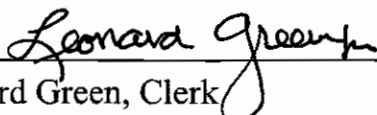
**JUDGMENT**

On Appeal from the United States District Court  
for the Southern District of Ohio at Cincinnati.

THIS CAUSE was heard on the record from the district court and was argued by counsel.

IN CONSIDERATION WHEREOF, it is ORDERED that the district court's decision to award litigation costs to the Sierra Club is AFFIRMED; however, the case is REMANDED for clarification as to the amount of the award.

**ENTERED BY ORDER OF THE COURT**

  
Leonard Green, Clerk